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## **Application Number** 10/802,697 TRANSMITTAL 03/17/2004 Filing Date **FORM** First Named Inventor Masahiro Shimoya, et al. (to be used for all correspondence after initial filing) Art Unit 3753 **Examiner Name** Leonard R. Leo Total Number of Pages in This Submission Attorney Docket Number 4041K-000190

ENCLOSURES (check all that apply)					
Fee Transmittal Form		☐ Drawing(s)		After Allowance Communication to Technology Center (TC)	
Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences	
Amendment / Reply		Petition			peal Communication to TC ppeal Notice, Brief, Reply Brief)
After Final		Petition to Convert to a Provisional Application		Proprietary Information	
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address		Status Letter	
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Response to Missing Parts/ Incomplete Application			Account No. 08-0750.	A duplic	ate copy of this sheet is enclosed.
Response to Missing Parts under 37 CFR 1.52 or 1.53					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm <i>or</i> Individual name	Harness, Dickey & Pierce, P.L.C.		Attorney Name Michael J. Schmidt		Reg. No. 34,007
Signature	Mohal				
Date	September 22, 2006				
CERTIFICATE OF TRANSMISSION/MAILING					

Typed or printed name Michael J. Schmidt Express Mail EV 757 777 975 US (9/22/2006) Label No. Signature September 22, 2006

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/802,697

Filing Date:

03/17/2004

Applicant:

Masahiro Shimoya, et al.

Group Art Unit:

3753

Examiner:

Leonard R. Leo

Title:

HEAT EXCHANGER AND HEAT TRANSFERRING MEMBER

WITH SYMMETRICAL ANGLE PORTIONS

Confirmation No.:

3787

Attorney Docket:

4041K-000190

Director of The United States Patent and Trademark Office P.O. Box 1450 Alexandria, Virginia 22313-1450

## RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed <u>August 29, 2006, Paper No./Mail Date 20060823</u>, please consider the following.

The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

I. Claims 1-2, 5, 7, 9, 11, 13, 15, 17 and 19, drawn to a heat exchanger with a fin louver at an angle of substantially 90 degrees, classified in class 165, subclass 151.

II. Claims 3-4, 6, 8, 10, 12, 14, 16, 18, 20 and 43-46, drawn to a heat

exchanger with a fin portion with specific dimensional relationships,

classified in class 165, subclass 151.

III. Claims 21-42, drawn to a heat exchanger with a fin portion with

specific dimensions, classified in class 165, subclass 151.

Applicants, without traverse, respectfully request the Examiner to proceed with

Invention III defined by Claims 21-42. Applicants request that the non-elected Claims

be held in abeyance for further prosecution in future divisional and/or continuation

applications.

**CONCLUSION** 

It is believed that a full and complete response has been made to the outstanding

Office Action, and as such, the present application is in condition for allowance. Thus,

prompt and favorable consideration of this Response is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this

application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 22, 2006

HARNESS, DICKEY & PIERCE, P.L.C.

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MJS/pmg

By:

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Reg. No. 34,007

Serial No. 10/802,697

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